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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/921,780	08/06/2001	Krishna I. Sankar	95-466	7367
23164	7590	10/20/2005	EXAMINER	
LEON R TURKEVICH 2000 M STREET NW 7TH FLOOR WASHINGTON, DC 200363307			STORK, KYLE R	
			ART UNIT	PAPER NUMBER
			2178	

DATE MAILED: 10/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/921,780	<b>Applicant(s)</b> SANKAR, KRISHNA I.	
	<b>Examiner</b> Kyle R. Stork	<b>Art Unit</b> 2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 16 August 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,4-14,17-27,30-40 and 43-52 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,4-14,17-27,30-40 and 43-52 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

### DETAILED ACTION

1. This final office action is in response to the amendment filed 16 August 2005.
2. Claims 1, 4-14, 17-27, 30-40, and 43-52 are pending. Claims 1, 14, 27, and 40 are independent claims.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 4-14, 17-27, 30-40 and 43-52 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Abjanic as applied to claims 1, 14, 27 and 40, in view of Shafer U.S. Patent Pub No. 2002/0198974 A1 filed 5/31/2001.

In regard to independent claim 1, Abjanic discloses a network interface configured for receiving the received message from a source node, and forwarding the received message to a destination node, via an open protocol network, according to selected application operations (Abjanic Col 2 Lines 65-67 Col 3 Lines 1-9 and Col 10 Lines 46-55); an extensible markup language (XML) parser configured for parsing XML tags from a portion of the received message, the XML tags specifying prescribed attributes (Abjanic Col 12 Lines 20-39 and Col 11 Lines 25-32); and an application resource configured for interpreting the prescribed attributes from the XML tags based on runtime execution of the application resource, the application resource initiating the

selected application operations for routing the received message to the destination node (Abjanic Col 3 Lines 2-22). Abjanic discloses wherein the application resource is configured for interpreting the prescribed attributes based on retrieval of prescribed syntax and semantics information. (Abjanic Col 4 Lines 10-12 Col 4 Lines 61-67 and Col 5 Lines 1-8)

Abjanic does not specifically disclose further comprising a vocabulary library having vocabulary modules, each specifying the prescribed syntax and semantics information for a corresponding group of XML tags, the application resource configured for retrieving the prescribed syntax and semantics information from a selected one of the vocabulary modules based on parsing a first of the XML tags from the received message and specifying the corresponding one vocabulary module. However, Shafer mentions a render library that contains style sheets, object definition language (ODL) files necessary to render XML output (Shafer Para 0050 and 0053). It would have been obvious to one of ordinary skill in the art to apply Shafer to Abjanic, providing Abjanic the benefit of having a render language library for the client application to access for rendering support and to render outputs based on the contents of XML style sheets and ODL files as taught by Shafer Paragraph 0053.

In regard to dependent claim 4, Abjanic discloses wherein the application resource is configured for accessing, as one of the selected application operations, prescribed attribute information from a server providing information services via the open protocol network, the prescribed attribute information used for routing the received message. (Abjanic Col 2 Lines 65-67 and Col 3 Lines 1-9)

In regard to dependent claim 5, Abjanic discloses wherein the application resource accesses application services information as the prescribed attribute information based on parsing first of the XML tags from the received message and specifying an application services requirement. (Abjanic Col 3 Lines 2-22 and Col 6 Lines 39-49)

In regard to dependent claim 6, Abjanic discloses wherein the application services information specifies quality of service information, the router configured for routing the received message based on the quality of service information. (Abjanic Col 4 Lines 1-12 i.e. provide different levels of service)

In regard to dependent claim 7, Abjanic discloses wherein the application resource is configured for accessing destination information based on parsing first of the XML tags from the received message and specifying a destination requirement. (Abjanic Col 8 Lines 53-67 and Col 8 Lines 1-10 i.e. directs messages to the appropriate destination)

In regard to dependent claim 8, Abjanic discloses wherein the open protocol network is an Internet Protocol network. (Abjanic Col 9 Lines 35-49 i.e. IP)

In regard to dependent claim 9, Abjanic discloses wherein the application resource is configured for selecting the destination node based on correlating the destination information with the quality of service information. (Abjanic Col 9 Lines 56-67 i.e. destination processing node and Col 4 Lines 1-12 i.e. provide different levels of service)

In regard to dependent claim 10, Abjanic discloses wherein the application resource is configured for accessing security information from the server based on parsing first of the XML tags from the received message and specifying a security requirement, the application resource configured for selectively routing the received message based on the accessed security information. (Abjanic Col 9 Lines 56-67 Col 10 Lines 1-20 i.e. security accelerator for messages)

In regard to dependent claim 11, Abjanic discloses wherein the application resource is configured for accessing destination information based on parsing first of the XML tags from the received message and specifying a destination requirement (Abjanic Col 12 Lines 20-39 and Col 11 Lines 25-32), the destination information specifying multiple destination nodes (Abjanic Col 6 Lines 63-67 and Col 7 Lines 1-12 i.e. multiple matches for messages to be forwarded), the application resource configured for selectively routing the received message to authorized ones of the destination nodes based on the accessed security information. (Abjanic Col 9 Lines 56-67 Col 10 Lines 1-20 i.e. security accelerator for messages)

In regard to dependent claim 12, Abjanic discloses wherein the application resource is configured for accessing destination information based on parsing first of the XML tags from the received message and specifying a document type (Abjanic Col 12 Lines 20-39 and Col 11 Lines 25-32), wherein the prescribed syntax and semantics information specifies respective destinations for respective document types (Abjanic Col 4 Lines 10-12 Col 4 Lines 61-67 and Col 5 Lines 1-8), the application resource

configured for determining the destination node based on the destination information and the document type. (Abjanic Col 3 Lines 2-22)

In regard to dependent claim 13, Abjanic discloses wherein the application is configured for retrieving quality of service information for available destinations, the router configured for determining the destination node based on the received quality of service information and the document type. (Abjanic Col 4 Lines 1-12 i.e. provide different levels of service and Col 3 Lines 2-22)

In regard to dependent claim 14, Abjanic discloses receiving the received message from a source node via an open protocol network (Abjanic Col 2 Lines 65-67 Col 3 Lines 1-9 and Col 10 Lines 46-55); parsing XML tags from a portion of the received message, the XML tags specifying prescribed attributes (Abjanic Col 12 Lines 20-39 and Col 11 Lines 25-32); initiating selected application operations for routing the received message based on interpreting the prescribed attributes from the XML tags according to runtime execution of an application resource; and selectively outputting the received message to a destination node based on the selected application operations, wherein the method is conducted by the router. (Abjanic Col 3 Lines 2-22 and Abjanic Col 2 Lines 65-67 Col 3 Lines 1-9) Abjanic discloses wherein the application resource is configured for interpreting the prescribed attributes based on retrieval of prescribed syntax and semantics information. (Abjanic Col 4 Lines 10-12 Col 4 Lines 61-67 and Col 5 Lines 1-8)

Abjanic does not specifically disclose further comprising a vocabulary library having vocabulary modules, each specifying the prescribed syntax and semantics

information for a corresponding group of XML tags, the application resource configured for retrieving the prescribed syntax and semantics information from a selected one of the vocabulary modules based on parsing a first of the XML tags from the received message and specifying the corresponding one vocabulary module. However, Shafer mentions a render library that contains style sheets, object definition language (ODL) files necessary to render XML output (Shafer Para 0050 and 0053). It would have been obvious to one of ordinary skill in the art to apply Shafer to Abjanic, providing Abjanic the benefit of having a render language library for the client application to access for rendering support and to render outputs based on the contents of XML style sheets and ODL files as taught by Shafer Paragraph 0053.

In regard to dependent claims 15, 28 and 41, claims 15, 28 and 41 reflect similar subject matter claimed in claim 2 and are rejected along the same rationale.

In regard to dependent claims 16, 29 and 42, claims 16, 29 and 42 reflect similar subject matter claimed in claim 3 and are rejected along the same rationale.

In regard to dependent claims 17, 30 and 43, claims 17, 30 and 43 reflect similar subject matter claimed in claim 4 and are rejected along the same rationale.

In regard to dependent claims 18, 31 and 44, claims 18, 31 and 44 reflect similar subject matter claimed in claim 5 and are rejected along the same rationale.

In regard to dependent claims 19, 32 and 45, claims 19, 32 and 45 reflect similar subject matter claimed in claim 6 and are rejected along the same rationale.

In regard to dependent claims 20, 33 and 46, claims 20, 33 and 46 reflect similar subject matter claimed in claim 7 and are rejected along the same rationale.



In regard to dependent claims 21, 34 and 47, claims 21, 34 and 47 reflect similar subject matter claimed in claim 8 and are rejected along the same rationale.

In regard to dependent claims 22, 35 and 48, claims 22, 35 and 48 reflect similar subject matter claimed in claim 9 and are rejected along the same rationale.

In regard to dependent claims 23, 36 and 49, claims 23, 36 and 49 reflect similar subject matter claimed in claim 10 and are rejected along the same rationale.

In regard to dependent claims 24, 37 and 50, claims 24, 37 and 50 reflect similar subject matter claimed in claim 11 and are rejected along the same rationale.

In regard to dependent claims 25, 38 and 51, claims 25, 38 and 51 reflect similar subject matter claimed in claim 12 and are rejected along the same rationale.

In regard to dependent claims 26, 39 and 52, claims 26, 39 and 52 reflect similar subject matter claimed in claim 13 and are rejected along the same rationale.

In regard to dependent claims 27 and 40, claims 27 and 40 reflect similar subject matter claimed in claim 14 and are rejected along the same rationale.

### ***Response to Arguments***

5. Applicant's arguments filed 16 August 2005 have been fully considered but they are not persuasive.

The applicant argues that the combination of Abjanic and Shafer fails to disclose the ability to parse an XML tag received message, interpret the parsed XML tag, and route the received message based on the instructions (page 13). However, the examiner respectfully disagrees. Abjanic discloses the ability to parse a received XML

tag, interpret the parsed tag, and routing the received message (column 2, line 65-column 3, line 9; column 12, lines 20-39; column 3, lines 2-22). This argument is not persuasive.

Further, the applicant argues that Shafer fails to disclose retrieving syntax and semantic information from a vocabulary library (page 14). However, the examiner respectfully disagrees. Shafer discloses retrieving syntax and semantic information from a vocabulary library (paragraphs 0050-0053). Further, Abjanic appears to teach similar limitations (column 11, lines 48-61). This argument is not persuasive.

6. Finally, the applicant argues that the examiner has used impermissible hindsight (page 16). However, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the applicant's disclosure, such a reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971).

### ***Conclusion***

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not

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mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kyle R. Stork whose telephone number is (571) 272-4130. The examiner can normally be reached on Monday-Friday (8:00-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Patent Examiner  
Art Unit 2178

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**CESAR PAULA**  
**PRIMARY EXAMINER**